

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, MARCH 15, 2011

Present: Chairman John C. Drobinski, Vice-Chairman Lawrence W. O'Brien, and Assistant Town Manager Maryanne Bilodeau

Absent: Selectman Robert C. Haarde and Town Manager Maureen G. Valente

The statutory requirements as to notice having been complied with, the meeting was convened at 7:35 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:35 p.m., Chairman Drobinski opened the meeting. He announced the recent death of former Executive Secretary Ed Thompson and offered condolences to Ed's family and friends. Chairman Drobinski stated Ed was a devoted public servant, who loved his community, and whose hard work helped to make Sudbury all it is today.

Chairman Drobinski announced the Annual Town Election is March 28, 2011. Polls are open from 7:00 a.m. to 8:00 p.m., and additional information is on the Town website.

Chairman Drobinski noted the Fire Department is addressing the limited flooding in Town.

Chairman Drobinski stated the Board will discuss the Transfer Station at its next meeting, and a Public Hearing will be held at a later date. He dispelled rumors of the Town's intention to close the Station, stating that the Town is working with Wayland to regionalize service, but there is no intention of closing the facility.

Chairman Drobinski reported working with the Sudbury Military Family group. He reminded the community that May is Military Appreciation Month.

Clerk Pro Tem

It was on motion unanimously

VOTED: To appoint Assistant Town Manager Maryanne Bilodeau as Secretary and Clerk Pro Tem, in the absence of Town Manager Maureen Valente for the March 15, 2011 meeting.

Reports from the Assistant Town Manager
Library Director – Resignation and New Appointment

Assistant Town Manager Bilodeau wished Goodnow Library Director Bill Talentino well as he retires tomorrow, after 23 years of service. She stated Mr. Talentino's work with the community will be greatly missed. Ms. Bilodeau also welcomed the new Director of the Goodnow Library, Ms. Esme Green, to Sudbury from her former position in Cambridge.

Assistant Town Manager Bilodeau noted that two citizens have written letters to thank Police Officers Erin Corey and Kenneth Hanchett for their assistance during recent difficult circumstances. In both cases, the citizens were stranded and grateful Sudbury has such dedicated professionals serving the community. Chairman Drobinski asked that the Town Manager be instructed to write a letter of commendation, on behalf of the Board, to the Sudbury Police Chief recognizing the outstanding work of Officers Corey and Hanchett.

2011 Annual Town Meeting FY12 Community Preservation Act (CPA) Warrant Articles

Present: Community Preservation Committee (CPC) Chairman Chris Morely and member Richard Bell

At 7:41 p.m., Chairman Drobinski stated the Board is in the process of reviewing articles submitted for the Town Warrant. He stated presentations would be heard tonight regarding relevant submissions from the Community Preservation Committee (CPC) and the Sudbury Public School Committee. The Board was previously in receipt of a listing of the Warrant articles recommended for Community Preservation Act (CPA) funding.

CPC Chairman Chris Morely described the CPC as having nine members, seven of whom are representatives from other Town boards/commissions and two members are at-large appointments. The purpose of the CPC is to oversee the use of CPA funds. Mr. Morely stated Sudbury has participated in the State CPA program for eight years. During that time, the Town has received nearly \$8 million of CPA funds from the State and Sudbury taxpayers have contributed approximately \$11 million. He highlighted the four eligible categories for funds as open space preservation, historic preservation, community housing and recreation. Mr. Morely emphasized Sudbury joined the CPA program primarily to purchase open space and that the majority of funds spent to date has been used for this purpose. He noted that purchasing open space is beneficial to the Town for several reasons, including preserving the aesthetics and character of the Town, preserving conservation land and wildlife habitats and to save money by preventing the development of properties, which would result in an operational/infrastructure budget burden for the Town. Mr. Morely highlighted that when open space is purchased it is protected in perpetuity

Mr. Morely stated the CPC reviewed nine proposals. The largest appropriation being recommended this year is \$750,000 to purchase the development rights for open space. He explained that a local farm, which could be developed into approximately 16 homes, has offered the Town the opportunity to purchase development rights for \$750,000 through an Agricultural Preservation Restriction (APR), allowing the property to continue to be farmed.

Mr. Morely reviewed the other recommended articles as follows:

Town Clerk Historic Document Preservation – requesting an amount not to exceed \$117,000 to restore and preserve historic Town documents dating back to the 1700s.

Sudbury Historical Commission - Historic Multi-Projects – requesting a total of \$37,000 to complete four small projects described as restoring four chimneys at Hosmer House, stone walls at Town Pound, portions of the Wadsworth Cemetery Gazebo, installing a gravestone for Florence Hosmer, and removing invasive plants around the Revolutionary War Cemetery.

Town-wide Walkways – requesting \$100,000 for engineering, design and construction of priority Town walkways. Mr. Morely stated Director of Planning Community Development Jody Kablack has established a successful neighborhood petition program to prioritize locations.

Sudbury Housing Trust (SHT) – 10% Allocation – requesting an amount not to exceed \$190,000 for the FY12 10% Community Preservation Act housing allocation to be appropriated to the SHT for the purposes of preservation and creation of affordable housing in Sudbury for low and moderate-income households. Mr. Morely noted that the Town is required to spend 10% of its CPA income on affordable housing projects.

Carding Mill Pond Harvesting – requesting an amount not to exceed \$16,000 for the purpose of habitat restoration of the Carding Mill Pond over a four (4) year period

Mr. Morely stated a non-money article has been recommended to remove a sunset provision previously approved for Article 31 of the 2008 Town Meeting.

Mr. Morely further noted the CPC submits an article each year of the CPA General Budget and Appropriations.

Vice-Chairman O'Brien stated the recommendations included important projects. He further noted that the requested appropriations appear to be consistent with the required 10% funding limitations.

Mr. Morely stated that the majority of the CPA revenue this year, approximately \$2 million, will be spent on the debt service for land/open space previously purchased and for the proposed \$750,000 APR.

Vice-Chairman O'Brien noted that, due to the economy, revenue from the Registry of Deeds and other receipts are lower than in previous years. Mr. Morely stated Sudbury received a 29% match from the State last year. He noted as the program has become more popular and more communities participate for funding, the State's allocations to towns have been reduced. However, Mr. Morely emphasized the 29% allocation translates to well over \$400,000 of funds for Sudbury to spend on goals and projects to enhance the Town.

Mr. Morely further noted the Committee is conservative, and thus has accumulated approximately \$7 million in cash, which can be used in the future to acquire desirable parcels. He explained that it is not always apparent where the open space parcels exist in Town because they can be nestled in the back of a property and not within view from the street. However, he further noted developers are very aware of the available land.

Vice-Chairman O'Brien stated the CPC considers long-range planning at the same time it deliberates projects presented. He also stated that having the funds available allows property owners to now approach the CPC regarding the potential interest of the Town in purchasing property. Mr. Morely confirmed this to be true, noting that Ms. Kablack has been involved in discussions with several owners over many years leading to eventual negotiations.

Vice-Chairman O'Brien stated a petition article, similar to one last year, has been submitted to reduce the CPA surcharge from 3% to 1.5%. He asked if the CPC has discussed its position on this article. Mr. Morely stated the CPC has not, but it has invited the petitioner to a future meeting to discuss the proposed petition. He noted that, last year, a similar petition article recommended a reduction in the surcharge to 1.25%. Mr. Morely reported that the CPC and the Finance Committee independently concluded that such a reduction would end the Town program to purchase open space, which is the primary reason for participating in the CPA program. He further stated it was also determined last year that the average taxpayer would save in the vicinity of only \$150 a year, but would eventually pay far more in increased property taxes when land becomes developed, homes are built and families move in requiring schooling and other Town services. Mr. Morely emphasized that taxpayers will pay at one time or the other, and that the CPC believes the CPA surcharge is the wise and more equitable way to pay and that taxpayers pay less through the CPA surcharge than they would otherwise. Vice-Chairman O'Brien stated he looks forward to the Committee's report at Town Meeting regarding this article.

Chairman Drobinski stated the Board will consider its vote on the recommended CPA articles later this evening, and he concluded the discussion at 8:02 p.m.

Sudbury Public School Committee - Discussion of Annual 2011 Town Meeting Article - Special Act - Transportation Fees

Present: Sudbury Public School Committee Chair Susan Iuliano

At 8:03 p.m., Chairman Drobinski welcomed Sudbury Public School Committee Chair Susan Iuliano to the meeting to explain the Annual 2011 Town Meeting Home Rule Petition article submitted regarding Special Act – Transportation Fees. The Board was previously in receipt of the draft warrant article with accompanying Sudbury School Committee report and a memorandum dated January 31, 2011 from Ms. Iuliano certifying the unanimous vote of the School Committee to proceed with preparing a draft article.

Ms. Iuliano provided an update on the status of the article, stating the Committee has not yet decided whether it will proceed with presenting the bookmarked article at Town Meeting. Thus, Ms. Iuliano welcomed input from the Board this evening for further consideration.

Ms. Iuliano explained the article proposes to allow Sudbury Public Schools (SPS) to charge a fee to all students who choose to use regular school transportation services, provided that such fees shall not exceed the actual cost of transportation services received and provided that such fees shall be reduced by any amount of such expenses reimbursed by the State for the same fiscal year. She further explained that the current rules for charging transportation fees result in an inequitable system for Sudbury families. Ms. Iuliano explained that the State requires non-regional schools to furnish transportation for kindergarten through sixth grade when the home distance from the school exceeds two miles. She further stated that the current law has also been interpreted to prohibit charging fees.

Ms. Iuliano stated the State used to provide funding to help offset expenditures, but since FY03, the expense burden has fallen completely on the schools. She noted that SPS spends over a \$1 million each year on regular transportation, of which \$650,000 is mandated, and thereby not reimbursed and not supported by fees. Although SPS does not ordinarily encourage the use of fees, it now must consider requesting that the State legislature exempt SPS only from the law that prohibits charging fees to support its budget. Ms. Iuliano emphasized that the exemption request is only for regular transportation and does not impact special education transportation.

Vice-Chairman O'Brien noted that, if all students who ride the bus could be charged, it is possible that the per student cost could be reduced. Ms. Iuliano stated it is possible that the current \$350 charge could be reduced to \$150, if it were determined that the same revenue stream were to be maintained. Vice-Chairman O'Brien stated his preference for more students to use bus services, which would also benefit the environment by having fewer cars converging at the schools and potentially lower user costs. Ms. Iuliano concurred, stating the traffic congestion also presents safety and supervision issues for SPS. She stated SPS is committed to the importance of providing transportation service.

Chairman Drobinski stated the reason Home Rule Petitions exists is because cities and towns are different from each other and have unique circumstances. He believes the article should be presented to Town meeting as a mechanism to spreading the cost more equitably.

Vice-Chairman O'Brien stated the argument should be made that the financial burden has shifted from the State to the schools as an unfunded mandate, while the service expectations have not changed. Ms. Iuliano concurred, stating the burden has also shifted to families of children using transportation services.

At 8:21 p.m., Chairman Drobinski thanked Ms. Iuliano for her presentation, and he concluded the discussion.

Public Hearing: Site Plan and Stormwater Management Permit – Haskell Field Parking Lot Expansion

At 8:36 p.m., Chairman Drobinski opened the Public Hearings for Site Plan and a Stormwater Management Permit regarding the Haskell Field Parking Lot Expansion, and

It was on motion unanimously

VOTED: To immediately continue the Site Plan and Stormwater Management Permit Public Hearings regarding the Haskell Field Parking Lot Expansion, without further discussion, to March 29, 2011 at 8:30 p.m. due to the absence of a Board quorum.

Payment-in-Lieu of Taxes – PILOT Program

Present: Town Finance Director/Treasurer Andrea Terkelsen and Director of Planning and Community Development Jody Kablack

At 8:37 p.m., Town Finance Director/Treasurer Andrea Terkelsen and Director of Planning and Community Development Jody Kablack addressed the Board to present a status report on implementing an expanded Payment-in-Lieu of Taxes (PILOT) Program with Sudbury's tax-exempt organizations. The Board was previously in receipt of a revised report for "Establishing a Payment in Lieu of Tax Program (PILOT)" and an accompanying memorandum from Ms. Terkelsen and Ms. Kablack dated March 9, 2011.

Ms. Kablack stated she and Ms. Terkelsen presented their preliminary program and suggestions to the Board in October 2010. A list of tax-exempt organizations was reviewed at that time, as was the small list of those already making PILOT payments to the Town. Currently, Ms. Kablack stated payments are received from the Wayside Inn, the Sudbury Housing Authority, U.S. Fish and Wildlife and a small allocation from the State Cherry Sheet. She clarified that all organizations can be negotiated with, except for the Federal and State entities, whose contributions are determined by set formulas.

Ms. Kablack stated that the revised March 2011 Report includes a draft program, criteria for selecting PILOT program participants, a standard for starting payment calculations and negotiation requirements, background information on other PILOT programs, the Town's specific tax-exempt property portfolio and recommendations for implementation. She noted information has also been included to explain why some properties which rely primarily on donations, such as religious organizations and small charities, may not be as appropriate for participation as others.

Ms. Kablack further explained the way valuation for tax-exempt properties is assessed changed in 2004. Thus, data has been provided since 2004, which reflects a minimum change in the data in recent years.

Ms. Kablack reviewed the recommendations for implementation as: establishing a PILOT Steering Committee to work with staff, identifying tax-exempt properties suitable for negotiations, developing a PILOT payment methodology that includes formulation of starting payments based on preferred calculation methodologies and provides for future payment growth, drafting a standard multi-year PILOT agreement, negotiating with representatives from the tax-exempt entity, monitoring and enforcing agreements, and re-negotiating agreements in a timely manner.

Ms. Kablack stated that FY10 tax rate information was used in preparation of the report. She noted that all of these entities use Town services such as public roads maintained by the Department of Public Works, and they have access to the Fire and Police Department services. Ms. Kablack stated the Town could possibly negotiate payments totaling \$100,000. She also stated the Program could be initiated by the Board in FY12 and be added to the Board's goals for the coming year. In negotiations, Ms. Kablack emphasized it

is important to recognize that some of these organizations provide great service to the community in a variety of ways, and she referenced the work and numerous grants given by The Sudbury Foundation as an example.

Ms. Kablack further stated the Board might want to consider asking for contributions to the Discretionary Fund rather than a PILOT payment, which might be more desirable for smaller organizations. She also suggested the Town could consider asking for Rights of First Refusal on properties in lieu of a PILOT payment.

Ms. Terkelsen stated that collecting PILOT payments from the tax-exempt properties is needed to help generate additional revenue. Other PILOT programs in Massachusetts were researched, and it was concluded that the negotiation process is key to successful and realistic results.

Vice-Chairman O'Brien stated he supports the proposal and likes the idea of oversight by a Steering Committee. He commended Ms. Kablack and Ms. Terkelsen on the Report and supports the recommendations proposed.

Chairman Drobinski believes the Report reflects the Town's sensitivity to religious groups and smaller entities. However, he also believes the Report provides a starting point for discussions and negotiations. Chairman Drobinski recommended the Program be added to the Board's goals next year and that work commence to appoint members to the Steering Committee.

It was on motion unanimously

VOTED: To accept the final Payment in Lieu of Taxes (PILOT) report and recommendations made by staff as requested by Andrea Terkelsen, Finance Director.

Minutes

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of March 1, 2011, subject to review and any edits from Selectman Haarde.

Earth Week -Sudbury Cleanup Day

It was on motion unanimously

VOTED: To proclaim April 24-30, 2011 as Sudbury Earth Week and to designate Saturday, April 30 as Spring Cleanup Day for the annual roadside cleanup, with a rain date on May 7, 2011.

Fairbank Community Center – Award of Contract

Vice-Chairman O'Brien asked for confirmation that the funds for the partial roof replacement at the Fairbank Community Center were previously appropriated, which was affirmed by Assistant Town Manager Bilodeau.

It was on motion unanimously

VOTED: To approve the award of contract by the Town Manager for the partial roof replacement at the Fairbank Community Center to the lowest eligible bidder, subject to review by Town Counsel and availability of funds.

Election Officer – Appointment

It was on motion unanimously

VOTED: To appoint Elaine R. Barnartt-Goldstein, 40 Indian Ridge Road, Sudbury, as a Democratic Election Officer for a term to expire on August 14, 2011, as recommended by the Sudbury Town Clerk.

Alternative Employee Health Insurance Plan and an Opt-Out Health Insurance Provision – Discussion

Present: Assistant Town Manager Maryanne Bilodeau

The Board was previously in receipt of a memorandum from Assistant Town Manager Maryanne Bilodeau dated March 11, 2011, recommending offering alternative health insurance plan options to employees and an Opt-Out Program and a Fallon Community Health Plan brochure.

Ms. Bilodeau explained that the Board had previously authorized in Executive Session the research of alternative health plan options and an Opt-Out program. Discussions were also conducted with the Insurance Advisory Committee. Ms. Bilodeau presented recommendations to offer the Fallon Community Direct Care and Select Care Health Plans as options along with our current Blue Cross Blue Shield plans. She explained that, although plan design, co-pays and deductibles would remain the same as those for the Blue Cross/Blue Shield plans, the annual premiums would be significantly lower. Ms. Bilodeau provided information regarding potential savings for employees and the Town.

Vice-Chairman O'Brien stated he thinks the lower rates are great, and he is pleased more options are being offered to employees. He asked if there is a sense of how many employees might change their health plan coverage. Ms. Bilodeau stated it is too soon to tell, but a lot of interest has been expressed. She further explained that one needs to consider whether their primary care physician participates in the plans, noting if your primary care physician has their office at Newton-Wellesley Hospital or in downtown Boston, they do not participate with the plan.

In response to a question from Vice-Chairman O'Brien, Ms. Bilodeau stated the proposed rates would become effective for the new fiscal year on July 1, 2011. She also stated employees will have the opportunity to meet with Blue Cross/Blue Shield and Fallon Community Health Plan representatives prior to the Open Enrollment period.

It was on motion unanimously

VOTED: To approve a contract with Fallon Community Health Plan (FCHP) to serve as third-party administrator for FCHP Select and the FCHP Direct self-funded health plans, and further, to establish health insurance monthly working rates as shown below, and to establish that the Town contribute 80% of FCHP Select and Direct Plans for active employees employed prior to July 1, 2009; and 70% of FCHP Select and Direct Plans for active employees hired on or after July 1, 2009; and 50% of both plans for retirees, with the employee/retiree to pay the remainder, effective July 1, 2011 through June 30, 2012.

FCHP Select – self funded	Family = \$1,341.88	Individual = \$ 526.81
FCHP Direct – self funded	Family = \$1,150.18	Individual = \$ 451.55

Ms. Bilodeau briefly summarized the Opt-Out Program proposal, which includes a cash incentive for employees who are currently enrolled in the Town's health plan, and opt out of being covered through the Town plans and enroll in insurance elsewhere. She reviewed the guidelines for eligibility. Ms. Bilodeau further stated that the Opt-Out Program would include a sunset clause of two years, after which a re-evaluation of the program could occur. She stated there are potential savings of up to \$136,000 if even ten employees choose to opt-out of family plans currently covered by the Town.

Vice-Chairman O'Brien noted the program would only apply to SPS and Town employees.

Vice Chairman O'Brien asked if there is a sense of how many employees may avail themselves of the Opt-Out Program. Ms. Bilodeau stated it is too soon to tell. However, she noted that since Wayland instituted a similar program in 2006, it has saved approximately \$855,000. Ms. Bilodeau emphasized in the public sector processes must be followed for working with employees and their unions to implement health care option changes. She stated Sudbury has followed the appropriate processes. We have notified the unions and also met with the Insurance Advisory Committee, who voted in favor of offering these two options. She further stated that one union would like to hold off deciding whether to offer these benefits to its membership until they know what the working rates would be. Ms. Bilodeau also stated she should have more information at the end of the Open Enrollment period in April regarding the number of participants.

It was also on motion unanimously

VOTED: To approve offering an Opt-Out Incentive to those Active Employees who are currently enrolled in our Health Plans and Opt-Out of being covered by the Town of Sudbury health plans and to pay a set waiver incentive amount: \$1,000 per year for an individual plan; and \$2,500 per year for a family plan upon proof of other insurance coverage following the guidelines as stated in the Opt-Out Program presented.

Board of Selectmen/Town Manager 2010 Annual Report

The Board was previously in receipt of a draft copy of the Board of Selectmen/Town Manager Joint 2010 Annual Report for review. Vice-Chairman O'Brien believes the Report provides citizens a good perspective on how the Town operates and the many projects underway to enhance the quality of life in Sudbury. Chairman Drobinski concurred, stating it is an excellent document.

It was on motion unanimously

VOTED: To approve the Board of Selectmen/Town Manager Joint 2010 Annual Report, subject to review and any edits by Selectman Haarde to be given to Town Manager Valente, who will share feedback received with the Board.

"Solarize Mass. Pilot Green Communities Application"

The Board was previously in receipt of copies of a letter dated March 6, 2011 from Dean Holden, member of the Sudbury Energy and Sustainability Green Ribbon Committee, requesting support for a pilot residential and small business solar program offered to municipalities, the application from the Mass. Clean Energy Center, and several related email communications. Assistant Town Manager Bilodeau stated there are no apparent reasons for the Town not to submit an application. She explained only one town will be selected in each of the four State regions.

Vice-Chairman O'Brien stated, if Sudbury is selected, residents and small business owners would be offered a 20% discount off the cost of having their home or office "solarized." He also thanked Mr. Holden for pursuing this opportunity on behalf of the Town.

It was on motion unanimously

VOTED: To authorize the Town Manager to sign the "Solarize Mass. Pilot Green Communities Application" offered to a few select cities and towns designated as Green Communities through the Mass. Department of Energy Resources (DOER) in conjunction with the Mass. Clean Energy Center ("MassCEC"), as requested by Dean Holden of Sustainable Sudbury in a memo dated March 6, 2011.

Annual Town Meeting Actions

Present: Director of Planning and Community Development Jody Kablack

The Board was previously in receipt of a revised draft list of the "2011 Annual Town Meeting Warrant Articles," dated March 10, 2011, copies of the draft warrant articles for articles #20, #21 and #26, a memorandum to abutters of the Pinewood Avenue and Hudson Road parcels referenced in article #26 and an accompanying memorandum dated February 25, 2011 from Community Housing Specialist Beth Rust regarding land value information to help the Board set a minimum bid for the two parcels.

Chairman Drobinski opened discussion regarding Article 20 – Route 20 Sewer System Design and Permitting. He stated at the Board's last meeting, the Planning Board implored the Selectmen to bring the article forward to Town Meeting. Chairman Drobinski stated the question of whether to present a \$1 million debt exclusion article or an article for a lesser amount. Based on information provided at the last meeting by engineers from Weston and Sampson, Chairman Drobinski believes the \$1 million article is appropriate to present to Town Meeting. He further believes the project is important to maintain a sustainable business district in Town. Thus, he believes the article should go forward.

Vice-Chairman O'Brien stated maintaining momentum built for the project is key. Based on the report from the engineering consultants, he also believes the \$1million article should be presented at Town Meeting.

Chairman Drobinski emphasized this project impacts the entire community, not just the business district. He noted that retaining businesses in Sudbury helps all citizens and residential taxpayers. Vice-Chairman O'Brien stated it is also important because it helps to protect the Town's water supply.

Following the last meeting, Ms. Kablack asked the consultants if the initial estimate could be re-evaluated and a more realistic amount provided prior to Town Meeting. Wesson and Sampson will more specifically re-bid the project. Thus, Ms. Kablack suggested that the Warrant article be reworded to read, "...to see what sum the Town meeting will appropriate for ..." Chairman Drobinski suggested Ms. Kablack work with Town Counsel to finalize the wording.

Ms. Kablack reported that the Technical Advisory Committee (TAC) met yesterday to discuss ways to help educate the public regarding the article prior to Town Meeting.

Ms. Kablack recommended that the Board support the article but report at Town meeting.

It was on motion unanimously

VOTED: To support Article 20 - Route 20 Sewer System Design and Permitting, but report at Town Meeting.

Chairman Drobinski suggested the TAC Chair be asked to speak about the article at Town Meeting.

Chairman Drobinski opened a discussion regarding Article 21 – Amend Zoning Bylaw Article IX, Section 4300 – Wireless Services Overlay District.

Vice-Chairman O’Brien suggested that language be added to the article to exclude Town-owned cemeteries from the list of potential parcels. Ms. Kablack noted the parcel list is not part of the Warrant article. She further noted the Board would have total control as to which parcels would be available to be leased.

Vice-Chairman O’Brien asked if it would be possible to install a tower on land used for conservation purposes. Ms. Kablack stated she believes that would be highly unlikely.

It was on motion unanimously

VOTED: To support Article 21 - Amend Zoning Bylaw Article IX, Section 4300 – Wireless Services Overlay District, as amended this evening to add language to exclude Town-owned cemeteries, but to report at Town Meeting.

Chairman Drobinski opened a discussion regarding Article 26 – Sale of Land Hudson Road and Pinewood Avenue.

Ms. Kablack stated the Board had previously requested additional data to assist in the determination of a minimum offer price to be listed in the Warrant article. She stated a list of small properties that are privately owned and owned by the Town in the Pine Lakes area was compiled. Ms. Kablack noted the average value in the Pine Lakes area is \$11,431 and the median is \$9,900 for all parcels based on FY11 assessment information. She further stated the Board would need to also determine other conditions of a sale, as previously discussed.

Charles Guthy, 24 Pinewood Avenue, distributed copies of a presentation of information to the Board entitled, “Refinement of Property Value Data.” Mr. Guthy stated he further researched information provided to abutters to compile his own data. He noted the average value for properties with lot sizes between .1 and .12 acres not owned by the Town is \$5,353.85, and for those same properties which do not have structures on them, it is \$2,763.64. Thus, Mr. Guthy believes a minimum bid within this range would be fair.

Vice-Chairman O’Brien stated the abutters are the best prospects as buyers. He requested the Assessor’s Office review Mr. Guthy’s information. Mr. Guthy stated he would email his Excel spreadsheet accordingly tomorrow.

Based on data collected, Chairman Drobinski stated the range for the minimum price is between \$2,000 and \$20,000. He stated it would be best if abutters purchased the parcels. Chairman Drobinski further stated a recommended range of \$5,000-\$7,000 was discussed at the last Board meeting, but the Assessor’s Office may be able to help determine the appropriate figure.

Mr. Guthy suggested that the minimum bid be set at \$2,500.

Vice-Chairman O'Brien asked Mr. Guthy a few questions regarding his data. Vice-Chairman O'Brien suggested setting the minimum bid as the average of the two figures presented tonight for the value for properties with lot sizes between .1 and .12 acres not owned by the Town of \$5,353.85, and for those same properties which do not have structures on them, of \$2,763.64 .

In response to a question, Ms. Kablack stated an accessory structure could be built on one of these parcels if purchased.

Vice-Chairman O'Brien stated it is in the Town's best interest to sell these parcels. He recommended the minimum bid be set at \$3,500.

Chairman Drobinski reiterated he would prefer if the Assessor's Office has the opportunity to review the information presented tonight.

It was on motion unanimously

VOTED: To request the Assessor's Office affirm \$3,500 as a minimum bid to be published in the Warrant regarding Article 26 - Sale of Land Hudson Road and Pinewood Avenue, and that the Assessor's Office provide a report to the Chairman of the Board of Selectmen, who will communicate the findings to the Board, as appropriate.

Carlo Lepordo, 35 Pinewood Avenue, asked several questions of the Board regarding whether an abutter could put an accessory unit on the parcel or build on it. He also asked the same questions regarding if a builder were to bid on the parcel. Vice-Chairman O'Brien noted that the bidders would likely only be abutters and that builders are not expected to be interested in these parcels. Ms. Kablack further stated that a builder would not be able to build on the parcels. Mr. Lepordo further asked how much the property value assessment would increase for anyone who purchases one of the parcels. Ms. Kablack stated many factors are taken into consideration. She encouraged anyone interested in bidding on a parcel to consult with the Assessor's Office now to garner this relevant information prior to bidding.

At 9:38 p.m., Chairman Drobinski concluded the discussion.

The Board reviewed articles for which positions had not yet been taken. Assistant Town Manager Bilodeau stated votes are desirable tonight, since the Warrant will need to be signed by the Board on March 29, 2011.

It was on motion unanimously

VOTED: To Report at Town Meeting on Article 16 – Special Act - Transportation Fees, to Report at Town Meeting on Article 26 - Sale of Land Hudson Road and Pinewood Avenue and to support the Community Preservation Fund Articles 28-35, subject to review and any comments from Selectman Haarde, and, if needed, a revote on March 29, 2011.

There being no further business, the meeting adjourned at 9:41 p.m.

Attest: _____
Maryanne Bilodeau
Assistant Town Manager-Clerk Pro Tem